

**PD-0931-CR**

In the  
Court of Criminal Appeals  
At Houston

FILED  
COURT OF CRIMINAL APPEALS  
4/17/2017  
ABEL ACOSTA, CLERK

—◆—  
**No. 1440970**

In the 248<sup>th</sup> Criminal District Court  
Harris County, Texas

—◆—  
**ANDREAS MARCOPOULOS, *Appellant***

**V.**

**THE STATE OF TEXAS**

*Appellee*  
—◆—

STATE'S MOTION FOR EXTENSION OF TIME TO FILE BRIEF

—◆—  
TO THE HONORABLE COURT OF CRIMINAL APPEALS:

THE STATE OF TEXAS, moves for an extension of time in which to file its appellate brief and in its motion, would show the Court the following:

1. Appellant was convicted in the 248th District Court of Harris County, Texas, in Cause No. 1440970, for the felony offense of possession of a controlled substance. Punishment was assessed at three (3) years deferred adjudication-community supervision. The First Court of Appeals affirmed the trial court's ruling on April 14, 2016 in a published opinion with one dissenting opinion and one concurring opinion. Appellant filed a motion for rehearing that the First Court of Appeals denied on July 7, 2016. Appellant filed a Petition for Discretionary Review (PDR) that this

Court granted on January 24, 2017. Appellant, after being granted one extension, filed his brief on the merits on March 14, 2017.

2. The State's brief is due April 14, 2017. The State hereby requests one extension for the filing of the State's brief until May 14, 2017.
3. The following facts are relied upon to show good cause for an extension of time to allow the State to file its brief:

B. The attorney for the State has been working on and has filed the following briefs in the last 30 days.

Hill v. State  
1-16-00595-CR  
State's brief filed March 17, 2017

Amaro-Solis v. State  
14-16-00484-CR  
State's Brief filed March 28, 2017

Mason v. State  
01-16-00980-CR  
01-16-00981-CR  
State's Brief filed April 4, 2017

Furthermore, the undersigned attorney has been assigned the following briefs in addition to the brief in this cause number.

Guevara v. State  
14-16-00701-CR  
State's Brief due April 19, 2017

Vela v. State  
14-16-00786-CR  
State's Brief due May 1, 2017

Phillips v. State  
01-16-00653-CR  
State's Brief due May 5, 2017

Carter v. State  
01-16-00799-CR  
State's Brief due May 8, 2017

Justice v. State  
14-16-00153-CR  
State's Brief Due May 30, 2017

Utzman v. State  
14-16-00910-CR  
14-16-00911-CR  
State's Brief Due May 30, 2017

This is the State's first request for an extension of time to file its brief.

WHEREFORE, the State prays that this Court will grant the requested extension until May 14, 2017.

Respectfully submitted,

*/s/ Kimberly Stelter*  
Assistant District Attorney  
Harris County, Texas  
1201 Franklin, Suite 600  
Houston, Texas 77002-1923  
(713) 274-5826  
Stelter\_Kimberly@dao.hctx.net

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing instrument will be served by  
efile.txcourts.gov to:

Carmen Roe  
440 Louisiana, Suite 900  
Houston, TX 77002  
carmen@carmenroe.com

/s/ Kimberly Stelter  
**KIMBERLY STELTER**  
Assistant District Attorney  
Harris County, Texas  
1201 Franklin, Suite 600  
Houston, Texas 77002-1923  
(713) 274-5826

April 13, 2017